

2017 May-31 PM 03:06

U.S. DISTRICT COURT

N.D. OF ALABAMA

**UNITED STATES DISTRICT COURT**

**FOR THE NORTHERN DISTRICT OF ALABAMA**

**MIDDLE DIVISION**

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ALABAMA DEPARTMENT OF

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CORRECTIONS and THE

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ATTORNEY GENERAL FOR THE

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STATE OF ALABAMA.

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The magistrate judge entered a Report and Recommendation on April 25, 2017,

The court, having considered the entire file in this action, including the report and

mendation, **ADOPTS** the magistrate judge's report and **ACCEPTS** his recommendation.

And, the court finds that the petition for writ of habeas corpus is due to be dismissed as time-

barred.

The court may issue a certificate of appealability “only if the applicant has a made a

substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). To make

such a showing, a “petitioner must demonstrate that reasonable jurists would find the district

court's assessment of the constitutional claims debatable or wrong,” *Slack v. McDaniel*, 529

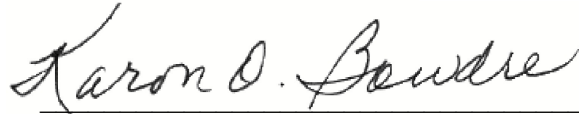
U.S. 473, 484 (2000), or that “the issues presented were adequate to deserve encouragement to

proceed further.” *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003) (internal quotations omitted).

This court finds petitioner's claims do not satisfy either standard.

The court will enter a separate Final Order.

DONE and ORDERED this 31st day of May, 2017.

A handwritten signature in cursive script, reading "Karon O. Bowdre". The signature is written in black ink and is positioned above a horizontal line.

KARON OWEN BOWDRE  
CHIEF UNITED STATES DISTRICT JUDGE